

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

International Brotherhood of Electrical
Workers, et al.,

No. C 05-3359 WDB

ORDER FOLLOWING INITIAL CASE
MANAGEMENT CONFERENCE

Plaintiffs,

v.

Thomas Krem, et. al.,

Defendant(s).

On January 24, 2006, the Court conducted a telephonic Initial Case Management Conference in the above-referenced case. For reasons articulated more thoroughly on the record, the Court hereby ORDERS as follows:

1. **By February 24, 2006, all parties must exchange** (through counsel) the following documents: (i) all documents that reflect or relate to any work done between May 2002 and January 2003 by all employees of defendants Thomas Krem ("an entity of unknown corporate status", Complaint, ¶ 7), Bay Electric Corporation, and Seagate Electric; (ii) all documents that reflect monies paid to defendants Thomas Krem, Bay Electric Corporation, Seagate Electric, Mr. Thomas Richard Krem, an individual, or Douglas Bruce Burleigh, an individual, as a result of work performed between May 2002 and January 2003 by any of the above-referenced employees; and (iii) all documents that reflect monies paid to any and all third parties as a result of work performed between May 2002 and January 2003 by the above-referenced employees.

If any party fails to make such a disclosure, the Court will schedule a further Case Management Conference -- at which the Court will set an early trial date.

1 2. The Court refers this matter to the ADR Department and requests that a neutral
2 mediator with expertise in ERISA delinquent contribution cases be assigned to conduct a
3 mediation at his or her convenience **during the first half of May, 2006.**

4 3. **By June 12, 2006, at noon**, the parties must e-file a brief Case Management
5 Conference statement updating the Court on the progress made since the Initial Case
6 Management Conference. The statement must describe, at a minimum, (i) any additional
7 discovery that the parties propose to conduct, (ii) proposed motion practice (if any), including
8 anticipated dates for any proposed motions, and (iii) the parties' preference for the month in
9 which trial should be held.

10 4. **On June 14, 2006, at 1:30 p.m.**, the Court will conduct a telephonic further Case
11 Management Conference. Defense counsel must initiate the conference call, get plaintiffs'
12 counsel on the line, then call the Court's conference call line at (510) 637-3326.

13 5. If the parties resolve the case prior to June 14, 2006, they must send correspondence
14 to the undersigned so stating. Thereupon, the Court would vacate the further Case Management
15 Conference and set a date by which a stipulated dismissal must be filed.

16
17 Dated: January 25, 2006



WAYNE D. BRAZIL
United States Magistrate Judge

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19 Copies to:
20 All parties,
21 WDB, Stats, ADR
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